**UNITED STATES DISTRICT COURT**
**SOUTHERN DISTRICT OF INDIANA**

UNDRAY WILSON,           )
                                    )
             Plaintiff,    )
                                    )
vs.                            )          1:12-cv-481-JMS-DML
                                    )
EDWIN G. BUSS, Commissioner of    )
the Indiana Department of        )
Corrections,                    )
                                    )
            Defendant.   )

### Entry Concerning Selected Matters

The court, having considered the above action and the matters which are pending, makes the following rulings:

1.      The plaintiff's request to proceed *in forma pauperis* (dkt 2) is **granted.** The assessment of even an initial partial filing fee is not feasible at this time.
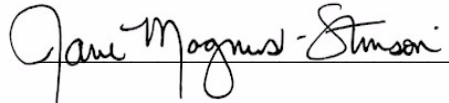
2.      The complaint is subject to the screening requirement of 28 U.S.C. § 1915A(b). *Lagerstrom v. Kingston*, 463 F.3d 621, 624 (7th Cir. 2006). This statute directs that the court dismiss a complaint or any claim within a complaint which "(1) is frivolous, malicious, or fails to state a claim upon which relief may be granted; or (2) seeks monetary relief from a defendant who is immune from such relief." *Id.* The court will direct the further development of any claim which is not dismissed on this basis. The parties will be notified when this determination has been made.

3.      The plaintiff's motion for the appointment of counsel has been considered. Litigants requesting that counsel be recruited must show as a threshold matter that they made a reasonable attempt to secure private counsel. *Gil v. Reed,* 381 F.3d 649, 656 (7th Cir. 2004); *Zarnes v. Rhodes,* 64 F.3d 285, 288 (7th Cir. 1995). The court must deny "out of hand" a request for counsel made without a showing of such effort. *Farmer v. Haas,* 990 F.2d 319, 321 (7th Cir. 1993). The plaintiff's motion makes no reference to his having made this effort or of being

prevented from doing so. Accordingly, the motion for the appointment of counsel (dkt 2) is **denied.**

      **IT IS SO ORDERED.**


Date: _04/23/2012_____

Hon. Jane Magnus-Stinson, Judge
United States District Court
Southern District of Indiana

**Distribution:**

**Undray Wilson**
**DOC #891719**
**Pendleton Correctional Facility**
**Inmate Mail/Parcels**
**4490 West Reformatory Road**
**Pendleton, IN   46064-9001**